

| DEPARTMENT OF THE TREASURY—VIRGIN ISLANDS OF THE UNITED STATES<br>BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS<br><b>BOND FOR SPIRITS, OR DENATURED SPIRITS OR RUM,<br/>         BROUGHT INTO THE UNITED STATES FREE OF TAX</b><br>(SEE INSTRUCTIONS OF REVERSE—PREPARE IN TRIPPLICATE) | BOND IS (Check one)<br><input type="checkbox"/> AN ORIGINAL<br><input type="checkbox"/> A STRENGTHENING<br><input type="checkbox"/> A SUPERSEDING | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">CONTINUING BOND</th> </tr> <tr> <th style="width: 50%;">TYPE FACILITY</th> <th style="width: 50%;">PERMIT NO.</th> </tr> <tr> <td>DISTILLING PLANT</td> <td></td> </tr> <tr> <td>STORAGE WAREHOUSE</td> <td></td> </tr> <tr> <td>DENATURING WAREHOUSE</td> <td></td> </tr> </table> | CONTINUING BOND |  | TYPE FACILITY | PERMIT NO. | DISTILLING PLANT |  | STORAGE WAREHOUSE |  | DENATURING WAREHOUSE |  |
|---|---|---|-----------------|--|---------------|------------|------------------|--|-------------------|--|----------------------|--|
| CONTINUING BOND   |   |   |                 |  |               |            |                  |  |                   |  |                      |  |
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| STORAGE WAREHOUSE   |   |   |                 |  |               |            |                  |  |                   |  |                      |  |
| DENATURING WAREHOUSE  |   |   |                 |  |               |            |                  |  |                   |  |                      |  |

KNOW ALL MEN BY THESE PRESENTS, That I (we) \_\_\_\_\_

as principal (hereinafter called the principal; see instructions 2, 3 and 4), and \_\_\_\_\_

as surety (or sureties), are held and firmly bound unto the United States of America in the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), lawful money of the United States, for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

This bond shall not in any case be effective before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, but if accepted by the United States it shall be effective according to its terms on and after that date without notice to the obligors. If no date is inserted in the space above provided therefor, the date of execution hereof shall be the effective date.

WHEREAS, the principal is operating under permit, or has filed an application for permit to operate, an \_\_\_\_\_

(Insert "Distillery" "Industrial Alcohol Plant" and/or "Storage Warehouse" and/or "Denaturing Warehouse," as the case may be)

under the name or style of \_\_\_\_\_

on premises, located at \_\_\_\_\_ ; and \_\_\_\_\_

WHEREAS, it is intended by this bond—

(a) To insure the payment of all taxes, together with penalties and interest, for which the principal may become liable, on all spirits, or on all denatured spirits or rum, brought into the United States free of tax, in violation of law or regulations now or hereinafter in force pertaining thereto;

(b) To support any permit(s) which have been or hereafter may be issued to the principal pursuant to law and regulations issued thereunder now or hereafter in force, and all extensions, amendments, and renewals, of such permit(s), and supplements thereto, authorizing the production, storage, or denaturation, of spirits or rum;

(c) To insure compliance with all other requirements of the laws of the United States and regulations issued thereunder now or hereafter in force respecting spirits or rum and denatured spirits or rum and the operation of the said premises;

NOW, THEREFORE, the conditions of this bond are such that if the principal—

(1) Shall pay, or cause to be paid, all taxes, together with penalties and interest for which the principal may become liable on all spirits, or on all denatured spirits or rum, brought into the United States free of tax, by him in violation of laws or regulations now or hereafter in force pertaining thereto; and

(2) Shall fully and faithfully comply with the terms of such permit(s) and all extensions, amendments, and renewals thereof, and supplements thereto, and all the requirements of the laws of the United States and regulations issued thereunder now or hereafter in force respecting such premises and the production, storage, and denaturation of spirits or rum and the storage of denatured spirits or rum; and the withdrawal of denatured spirits or rum for use in the manufacture of articles, to be brought into the United States free of tax; and

(3) Shall not engage in any attempt, by himself or in collusion with others, to defraud the United States of any taxes that may become due on spirits, or denatured spirits or rum, while in his possession or thereafter;

Then this obligation is to be null and void, but otherwise to remain in full force and effect.

We, the obligors, also agree (a) that all stipulations, covenants, and agreements of this bond shall extend to and apply equally to any change in the business address of the premises, the extension or curtailment of the premises, including the buildings thereon, or any part thereof, or in equipment, or any other change which requires the principal to file a new or amended application or notice, except where the change constitutes a change in the proprietorship of the business or in the location of the premises, and (b) that this bond shall continue in effect whenever operations are resumed from time to time following suspension of operations.

And the obligors, for themselves, their heirs, executors, administrators, successors, and assigns, do further covenant and agree that upon the breach of any of the covenants of this bond, the United States may pursue its remedies against the principal or surety independently, or against both jointly, and the said surety hereby waives any right or privilege it may have of requiring, upon notice, or otherwise, that the United States first commence action, intervene in any action of any nature whatsoever already commenced, or otherwise exhaust its remedies, against the principal.

WITNESS our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signed, sealed, and delivered in the presence of—

|  |        |
|--|--------|
|  | (SEAL) |
|  | (SEAL) |
|  | (SEAL) |
|  | (SEAL) |

## APPROVAL OF COMMISSIONER OF FINANCE

The foregoing bond having been executed in due form and in compliance with the law and regulations, and instructions, is approved by me in behalf of the United States.

(Date approved)

(Commissioner of Finance of the Virgin Islands)

### INSTRUCTIONS

1. This bond must be filed in triplicate with the Commissioner of Finance of the Virgin Islands. After approval of the bond by the Commissioner of Finance, a copy will be returned to the principal, and a copy furnished for filing by the Director, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226.

2. The name, including the full given name, of each individual party to the bond must be written in the heading thereof, and each such party shall sign the bond with his signature, or the bond may be executed in his name by a duly empowered attorney-in-fact.

3. In the case of a partnership, the name of the firm, followed by the names of all the members thereof, shall be given in the heading. In executing the bond the firm name shall be typed or written, followed by the word "by" and the signatures of all partners, or the signature of any partner duly authorized to sign the bond in behalf of the firm, or by a duly empowered attorney-in-fact.

4. If the principal is a corporation, the heading shall give the corporate name, the name of the State under the laws of which it is organized, and the location of the principal office; and the bond shall be executed in the corporate name, immediately followed by the signature and the title of the person duly authorized to act in its behalf; and the bond shall be attested under the corporate seal. If the corporation has no corporate seal that fact should be stated.

5. If the bond is signed by an attorney-in-fact for the principal, or by one of the members for a partnership or association, or by an officer or other person for a corporation, there must be filed with

the Commissioner of Finance a duly authenticated document, authorizing the person signing the bond to execute it on behalf of the principal.

6. Each signature must be made in the presence of two witnesses (*except where corporate seals are attached*), who must sign their names as such.

7. Bonds may be given with corporate surety authorized to act as surety by the Secretary of the Treasury, or by the deposit of bonds or notes of the United States. The Act of July 30, 1947 (*section 15, title 6, U.S.C.*) provides that "the phrase 'bonds or notes of the United States' shall be deemed \* \* \* to mean any public debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States."

8. The surety or sureties on the bond must have no interest whatever in the business.

9. Bonds in which alterations and erasures occur must have placed upon them a statement by the principal and surety or sureties before execution that such alterations or erasures were made prior to the execution of the bond; or if such alterations or erasures were made after the bond was executed, the consent of all parties thereto must be written in the bond.

10. The penal sum named in the bond must be in accordance with Virgin Islands regulations concurred in by the Secretary of the Treasury of the United States.

### PAPERWORK REDUCTION ACT NOTICE

This form is not subject to OMB review and approval because it requires only that information necessary to identify the parties involved and the amount of the bond.